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BY THE HOUSE OF DELEGATES.

MARCH 15th, 1853.

Read and ordered to be printed.

R E P O R T

OF THE

COMMITTEE ON EDUCATION

TO THE

HOUSE OF DELEGATES.

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MARTIN J. KERNEY, Chairman.  
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ANNAPOLIS:

THOMAS E. MARTIN, PRINTER.

1853.



REPORT.

The Committee in presenting the following bill, beg leave to make a few brief remarks. They do not consider it essential to dwell at any considerable length on the importance and the advantages to be derived from a well digested system of public education. It is an axiom, universally admitted in the science of government, that the most valuable and cherished institution of the State depend for their stability and perpetuity on the virtue and intelligence of the people. If then the interests of the State, be so intimately connected with the moral and intellectual culture of her citizens, it becomes her solemn duty to aid in the diffusion of knowledge and the encouragement of virtue; it is her duty to take by the hand the children of her citizens, especially those of the poor and the needy, and lead them to the altar of science; and while she would point out to them at a distance the beauty of the temple, it is no less her duty to aid them in ascending the rugged pathway, which leads to the summit on which it stands.

These principles were early recognized by the founders of our State. By reference to the annals of the past, we find that the colonists of Maryland, amidst all their vicissitudes of fortune, were not unmindful of the education of their children. Even long before the war-hoop of the Indian was hushed in the forest, the voice of the tutor was heard in the discharge of his high vocation, the soil was dedicated to the genius of science. As early as the year 1696, King William's School was established under the patronage of the State. This institution, the prototype of those which now form the ornament and the pride of Maryland, continued to flourish for nearly a century, casting abroad upon the land the light of knowledge, until it was finally merged into our own time honored seat of learning, Saint John's College.

Our ancestors were early impressed with the importance of a system of public education, and as far back as the year 1717,

an act was passed by the General Assembly of Maryland, establishing free schools in the several counties of the State. These schools continued in operation with partial success in many of the counties, until the present system of primary schools was established. At a more recent period, the public mind seemed to be awakened to the importance of establishing a more efficient system of public instruction, and in 1825, a law was passed establishing a system of primary schools throughout the State. This law, though it was rejected at the time by many of the counties, forms the basis of the system which we find at present in operation in the State.

After the lapse of a quarter of a century, since the present system of public schools was established in our midst, we might reasonably expect that the practical operation of the system was thoroughly developed ; that the blessings which it was intended to bestow, had reached the utmost bounds of the State. But alas ! is this the case ? Has the light of knowledge increased with our prosperity ? Has the march of the mind, kept pace with our gigantic schemes of speculations ? with our works of internal improvement ? No ; such is not the case ; but with the blush of shame upon our cheek, we are compelled to acknowledge the fact, that while we exult in our prosperity and glory in our wealth, while we are affording every facility for the developing the treasure of our mines, and of giving increased fertility to our soil, we are neglecting the education of our children ! According to the census of 1840, there were in the State of Maryland at that time, eleven thousand eight hundred and seventeen white persons, over twenty years of age unable to read or write, while the census of 1850 discloses the discreditable fact, that at that period there were in the State, upwards of twenty thousand white persons over twenty years of age, who could neither read nor write. The treasury of the State is thrown open and thousands of dollars are expended for the support of private Academies ; thousands and tens of thousands are annually paid out for the support of our public schools, and still thousands of our children are permitted to grow up in ignorance, to reach the period of manhood without having received the first rudiments of an English education. These facts speak to us in forcible accents. They tell us in language that cannot be denied, that with all our efforts in the cause of education, the march of ignorance is rapidly on the advance, that thousands of the sons and the fair daughters of Maryland are growing up to manhood and womanhood with minds incapable of appreciating the blessings that flow from the free and happy institutions under which they live ; with minds incapable of teaching their children to place a proper estimate upon these time honored institutions ; with minds incapable of enjoying the favors of fortune, or the blessings which nature has so abundantly cast around them ; with minds which must forever re-

main a blank to the enjoyment of the purer pleasures which are only tasted at the fountains of knowledge.*

But where will we look for this fearful increase of ignorance in our State? To say that it is owing to the increase of foreign population, is a falacy. This might be true, to a limited extent, in our larger cities; but how will we account for it in those counties where there has been little or no increase of population? The secret to this increase must be sought for in other quarters. No man, who will look abroad upon the State and examine the condition of our Public Schools, can for a moment mistake the true cause of this result. There was a time, when private schools were numerous in the State; when the facilities of public instruction were few; when educational labors were left, comparatively speaking, to private enterprise. At length our present system of primary or public schools was established, and the private schools yielded to their advance; but time has clearly demonstrated the fact that our public system, at least in the manner in which it is now conducted, is totally unequal to the task of educating our children. In a great majority of the counties the local laws have been found entirely inadequate to the ends for which they were

*NOTE.—The following table taken from the census of 1850 will show the number of white persons over twenty years of age, unable to read or write in each county and the city of Baltimore respectively. If we take into consideration the difficulty of obtaining correct information on this subject, owing to the unwillingness of persons to acknowledge their ignorance, and other causes, we may infer that the number of adult persons who cannot read or write, is much greater than that exhibited by the table. The number in several counties is evidently erroneous.

MARYLAND CENSUS FOR 1850.

COUNTIES.	No. of Adults unable to read and write.			Total white Population.	No. in 1840, unable to read or write.
	Males.	Females.	Total.		
Allegany,	667	372	1039	21,633	589
A. Arundel,	256	314	570	16,542	949
* Baltimore,	2074	4412	6486	174,853	2,405
Calvert,	170	188	358	3,630	487
Caroline,	205	198	403	6,096	337
Carroll,	59	70	129	18,667	455
Cecil,	87	70	157	15,472	249
Charles,	224	175	399	5,665	56
Dorchester,	969	699	1665	10,747	1,045
Frederick,	486	1015	1504	33,314	887
Harford,	92	115	207	14,414	44
Kent,	120	84	204	5,616	199
Montgomery,	462	690	1152	9,435	426
P. George's,	197	207	404	8,901	367
Queen Anne's,	352	379	731	6,936	371
St. Mary's,	886	969	1855	6,223	661
Somerset,	366	327	693	13,385	561
Talbot,	146	163	307	7,084	443
Washington,	307	585	892	26,930	721
Worcester,	725	953	1678	12,401	563
	8557	12,258	20,815	417,943	11,817

* This includes Baltimore city and Co. Howard Co. is included in A. Arundel.

designed. In many the system has become almost extinct; in others, it has never been adopted; while in but very few the working of the system gives satisfaction to the people. What is the natural consequence of this state of things? The public system is inefficient in its operation; the public schools are closed for the greater part of the year; the private schools are banished from the State, private teachers have sought elsewhere for their labors a more congenial soil, and hence thousands of our children, left with efficient schools, either public or private, have been deprived of the light of knowledge, and compelled to grow up in ignorance. Let the friends of education reflect upon these facts; let them remember this truth, which should be written in indelible characters upon the memory of every parent, and engraven upon the heart of every friend of science in the State; that an efficient system of public schools is far more detrimental to the cause of education than no system at all.

From what we have shown, it must be apparent to every reflecting mind, that our present system is seriously defective either in theory or in practice; that the present laws on primary education are ineffectual in accomplishing the object for which they were designed. It is equally apparent, that it becomes the imperative duty of the State to arrest the evil and apply the remedy.

The Committee, after a careful examination of the subject, are firmly of the opinion, that the inefficiency of our system may be traced chiefly to two causes, viz: *First*—the want of a general law on the subject, which would operate, as far as practicable, uniformly throughout the State; and, *Secondly*—the want of funds sufficient to give vigor and energy to the practical operation of the system. If we examine the laws on this subject in those States in which popular education was early established, and in which time and experience have combined to bring the system to a high state of perfection, we find some general and uniform laws on the subject. But in Maryland each county has a separate school law, and the city of Baltimore has also a separate regulation for the government of her own schools. In almost every other State, where the standard of popular education has been unfurled, the laws uniformly direct that an annual report on the subject shall be published. These reports contain a fund of valuable information. They exhibit the number of schools, the number of teachers and pupils in the several counties and cities respectively, the incidental expenses of each school for teachers salary, for books, stationery, &c.; the aggregate cost of the entire system of the whole State, with many other items of useful information, which tend to awaken the public mind to the subject, and to diffuse among the people a lively interest in the cause of education. But in Maryland we have nothing of the kind; no general law; no uniform system; no annual report. The opera-

tion is veiled in obscurity; no statistical information relative to our system can be obtained, for none are preserved.

The many advantages that would follow from a well arranged annual report on the subject of education, are obvious on the slightest reflection. It is well known to every practical man, that the most valuable lessons are those learned from experience. The interchange of views on the same subject will often lead to the happiest results. Perfection need scarcely ever be looked for in the infancy of any institution; it is only attained by gradual steps; it only advances by the light which is thrown around it by time and experience. The child of five years will be a child at twenty, if deprived of those lessons which an intercourse with his fellow-beings alone can impart. So with a system of education; its progress in the career of usefulness, will be in proportion to the light it gathers from experience. But while the working of the system is hidden from public view; while its practical operation is concealed from public scrutiny, so long is it destined to drag out a weak and ineffectual existence. Errors in any system, to be corrected, must be pointed out; but if there be no medium through which the system can be viewed, the most radical defects must for ever remain unperceived. On the other hand, all the improvements in the system, which experience may have pointed out in one county or section, is lost to the balance of the State. Why pursue the policy on a subject so important as that of education? Why shut out light from the subject? If we require an annual report on the condition of the finances of the State, that we may see the sources of our revenue and examine the disbursements of our treasure, surely we should not refuse an annual report on the subject of education. Shall it be said that the people of Maryland are more interested for the perishable dollar, than for the education of their children?

Let, therefore, a report on the condition of our public schools be annually published; let it show the advantages of the system and point out the defects wherever they exist, and it will inspire new energy in the cause, and give a renewed impulse to the system. Every parent will look for it with anxiety; it will come as a yearly monitor to remind him of the obligations he owes to his children of early implanting in their minds the seeds of knowledge and the principles of virtue. Let a report on the subject be annually published, exhibiting the practical operation of the system in every county and section in the State, and new light will be shed upon the whole; each county will be a mirror to the other, reflecting the blessings of the system from the peaks of the Alleganics to the sea-girted shores of Worcester.*

* NOTE.—Besides an annual report, an immense benefit might be done to the cause of education, by the establishment, in our State, of an *Educational Journal*. It would serve as a medium through which the friends of popular education might freely give their views on the subject, and point out the advantages of the system. It is to be hoped that some friend of the cause will undertake the enterprise. In

The want of funds is another great cause of the inefficiency of our public schools. The fund provided by the State is quite inadequate for any practical purpose; while the meager sums annually levied in the several counties, for the support of the system, have generally fell far short of the actual wants of the schools. In consequence of this deficiency of the funds, the schools in many of the counties cannot be kept open for more than five or six months in the year, and in some for a less period. Now, it is well known that there are many parents who require the services of their elder children at home, particularly during the summer season of the year; and during the same period they send their younger children to school; and again, during the winter season, when the inclemency of the weather will not permit their younger children to attend, they send their older children to share the benefits of the school. But if the schools are closed for the greater part of the year, it frequently happens, that at the time when they stand most in need of the schools, to their great disappointment they find them closed. If they enquire the cause, they are told that the school fund is exhausted—that the schools will not be resumed until next summer, or next winter, as the case may be, when the new levy shall be made. Parents are, therefore, compelled to forego the education of their children and to dismiss their teacher, or retain him at their private expense. The last, though not the least of evils which follow from the want of funds, is this; that the services of a competent teacher can seldom be obtained; for no man who values his services will engage in the arduous duties of teaching with a knowledge of the fact, that he will be idle, and will, consequently, receive no compensation for the greater part of the year.

These evils have been keenly felt, especially by those who could not avail themselves of the services of a private teacher; the voice of complaint on the subject has gone up from almost every section of the State. The friends of popular education have long indulged the delusive hope, that time would correct this evil, and point out the importance of increasing the school fund.

They look forward to the day, which they thought was not far distant, when there would be a sufficient fund to educate every child in the State; but each succeeding year has only blighted their most cherished anticipations, and brought with it renewed disappointment. No effectual efforts have been made to increase

addition to an educational journal, the cause of education would be greatly advanced by the establishment of a *Library* in every school district in the State. When we reflect, that there are about one thousand school districts in the State, we may readily perceive the immense advantages that these libraries would confer, not only upon the children of the community, but upon the inhabitants generally; it would render them that which is so much to be wished for, a *reading people*. To the friends of education, we commend the subject. Finally, our young men would reap a thousand literary advantages from well organised lyceums or debating associations. It was in these associations, that some of Maryland's most distinguished sons first developed that genius which gives to their names an imperishable fame.

the common school fund of the State, while the local authorities have annually contributed little more than sufficient to keep life in the system, without enabling it to impart any practical benefits. It may well be said of Maryland, so far as relates to her system of public education, that she has brought her children within view of the beautiful temple of science, without permitting them to worship at its altar; they are permitted to gaze upon the structure, which dazzles them with its splendor; they are permitted to approach the fountain of knowledge, but ere they have quenched their thirst at its limpid waters, the cup is dashed from their lips, the light is withdrawn from their eyes. The State has covered her statute books, with laws on the subject of education; she has laid out school districts, and built school houses; she has provided every thing, save that which is most essential, the means of conducting the system. The great mass of the people seeing that the system, owing to its present state of inefficiency, has produced so few of the advantages which they had fondly anticipated, are becoming daily more and more indifferent to the cause; even the warmest friends of popular education seem to have lost their energy; hence that apathy on the subject, which, to a great extent, pervades the entire state.

The Committee would earnestly recommend to the several counties, inasmuch as it is proposed to place the subject under their own immediate control, to increase the school tax, so far at least as to keep their schools in successful operation, for a period of eight or ten months in the year. It is confidentially believed, that if the experiment were tried in those sections of the State, where the system has heretofore been most inefficient, it would be productive of the most beneficial results; let the people for one year enjoy the advantages of an efficient and well conducted system of public schools, and they would not forego these advantages for any earthly consideration. And it is well worthy of remark, that not in a single county of those, which have increased their school tax to such an extent as to give a vigorous operation to the system, have the people asked a reduction of that tax. None has been more willingly or more cheerfully paid. And it is to be hoped that the time is not far distant, when every county in the State will have a school fund sufficient for the education of every child within her borders; and as the Constitution directs, that so soon as the public debt shall be paid off, the State stock in the internal improvement companies shall be transferred to the several counties and the City of Baltimore, in proportion to the amount contributed by each towards the completion of these works, the committee would earnestly recommend the passage of a law in anticipation of this event, directing the several counties and the city of Baltimore to invest said stocks, when received, as a permanent school fund. If this were done, it would have a most beneficial effect. The eye would be cast to the future, the

present would be forgotten. The man who is now heavily taxed for the support of the public schools, would pay his tax with a more cheerful heart, in anticipation of the day which he saw was rapidly advancing when this tax would cease, or be comparatively small.

In a state whose geographical limits are so peculiar as those of Maryland, where the interests of the different sections are so conflicting, it becomes no easy task to frame a law on the subject of education that would give satisfaction to the whole. The committee, in the discharge of their duty, were beset with difficulties at every step of their progress. That system which would be agreeable to one section, was found impracticable in another; that which was acceptable in the northern, would not suit the southern portion of the State. The committee, however, after examining the inefficiency of the present system, and being firmly persuaded that the cause of popular education would be promoted by the passage of a general law, have proposed such a law on the subject, as, in their judgment, will be acceptable to every locality of the State, while, at the same time, it will preserve the grand features of the system uniform and unbroken.

If we cast our eyes abroad and examine the educational laws of other States, we invariably find that there is some controlling head to the system. In most of the New England States, the system is controlled by a Board of Education. In others, it is governed by a State Superintendent; while in New York and some other States, the Secretary of State is constituted the superintendent of the public schools. The committee, deeming it important to have some centre to the system, have proposed the Secretary of State nominally, as the superintendent of the public schools in our State. They do not, however, propose to clothe that functionary with the powers with which he is invested in other States, but they would simply impose upon him the duty, after receiving the reports from the schools in the several counties, to compile from them a general report for the whole State, and publish the same annually.

In order to remove a prejudice which has hitherto existed against a general school law, the committee would remark, that the bill which they propose, so far from taking away from the counties any power or control over their own schools, gives them a far greater power in the management of their schools than they heretofore enjoyed under their local laws. The bill provides that there shall be a Board of Commissioners of public schools, either elected by the people, or appointed by the judges of the Orphans Court in each of the several counties, and invests these Commissioners with various powers, heretofore retained and exercised by the Legislature. At the present time, if it becomes necessary to lay out a single school district in any county of the State, or to

divide a school district, or to build or remove a school house, it is necessary to have a special law passed for that purpose. Should it happen that the inhabitants in a distant corner of the State find it necessary to have a new school district, they have to wait a year, or two years, as the case may be, for the meeting of the Legislature, in the meantime the cause of education suffers and the people are put to serious inconvenience by the delay. It is proposed to remove these evils, by investing the Commissioners with full power to lay out, alter or change school districts, whenever the public convenience may require it. As to the number of Commissioners necessary for each county, there may exist much diversity of opinion; nor does it appear material that the number should be the same in each county. The committee, however, have proposed that number which in their judgment seemed most likely to give efficacy to the practical operation of the system; but whatever diversity of opinion may be entertained on the subject, it is hoped that it may not be urged to the detriment of the whole bill.

The success of the best organised system of education will depend, in a great degree, upon the moral deportment and the intellectual ability of the teacher. The best interests of society, the welfare of coming generations, and the future destiny of the State, depend in a great measure upon the faithful discharge of his duty. If he be a man of strict integrity and morality, a man of intellect and a scholar, he will reflect his character upon the pupils under his charge. But if he be a man incompetent to discharge the duties of his calling, if he be intemperate or immoral, his example will exert a baneful influence over the tender minds of those committed to his care. How important is it then, that the teacher should be a man competent to discharge the high and responsible duties of his vocation. The committee, fully sensible of the great importance of having none employed except competent teachers, have provided that the Board of Commissioners shall constitute a Board of Examiners, whose duty it shall be to examine all applicants for teaching in any of the schools under their jurisdiction, and that no person shall be employed as teacher in any of the schools, who has not been previously examined by them, and obtained a certificate of qualification.

Our public schools, to be in harmony with our other institutions, should make no distinction between the rich and the poor. The public school is public property; no child should be met at the door of the school-room to be asked for money. The practice prevalent in many sections of the State of having two distinct classes of children in the same school, namely: paying pupils and free scholars, should be abolished. Wherever it prevails, a line of distinction is drawn; the true principles of republican equality are violated. Our public schools are a type of our republican institutions. They were designed as the olympic plains

upon which the children of all, without distinction of rich or poor, might contend for the golden prize of literary fame. The avenues which lead to them, should therefore, be free and open to the children of all, as the light of day or the air of heaven. The Committee fully convinced that any rate of charges, no matter how small the sum, which discriminates between the rich and the poor, is repugnant to the institution itself, and should never be resorted to except in cases of pressing necessity : aware, however, that cases may arise in which the school may be on the point of being discontinued for the want of funds, they have provided that in such cases, the Trustees shall have a discretionary power to levy a limited amount upon the parents of those children who are able to pay.

As the design of the State in providing a school fund, is the diffusion of knowledge and the education of the children of her citizens, especially those of the poor and the needy, it is much to be regretted that no provisions have heretofore been made for the education of orphans. That class of our children, which of all others, needs the fostering care, which claims the sympathy and aid of the State ; that class, which from their peculiar situations are unable to attend the public schools ; that class is denied the privileges which are extended to others, and deprived of the advantages of education. It is well known that these children, so soon as their age will permit, are placed out in the community, generally to learn some useful mechanical art ; but if they are deprived of the advantages of education, while in the asylum, and go forth from thence with minds unimproved, they are almost inevitably doomed to grow up in ignorance : *for no man takes an orphan to educate it.* The very name of *orphan* touches the finest cords of the human heart, and sends forth a thrill of sympathy that finds a response in every bosom. Behold that humble tenement which rises before you ; it is the abode of the fatherless and friendless. Approach and obtain a nearer view of its innocent inmates ; no mother is near to console them, no father to share their smiles ; their bread is administered by the hand of a stranger : but their sad condition is still more embittered by the reflection, that while they enjoyed the blessing of a parental home, humble it may have been, they also enjoyed an inheritance in the common school fund ; but now that the heavy hand of Providence has fallen upon them, the State has repudiated her obligations of educating them, has deprived them of their inheritance, and erased their names from the catalogue of those who are to be the recipients of her educational bounty. Why should this be so ? Why should thousands of our children be left to depend on public charity, not only for their food and raiment, but also for their education ? In other States the education of the orphan is scrupulously provided for, and shall it be any longer said to the reproach of Maryland, that she has thrown open the doors of her public schools, even to the children

of the most wealthy, but to the orphan she has denied the boon of education.

In a community like that in which we live, where public opinion is divided and sub-divided on almost every subject, it is not to be expected that the best organised system of education would meet the approbation of every individual. In this respect, the system of Maryland has shared the fate of those of other States. Long since has the voice of complaint been heard against our public schools ; not, indeed, against the system itself, but against the manner in which it has been conducted in certain localities of the State. Thousands of our fellow-citizens, seeing on the one hand that their complaints were disregarded, and on the other, that the system presented features repugnant to their feelings as christians and as men, have gone out from our midst, and have established schools for the education of their own children. Though they pay their taxes for the support of the public schools, they spurn to participate in the advantages they bestow, so long as these advantages can only be reached at the sacrifice of other and higher obligations, which they owe to their children ; and with a zeal worthy of the cause of education they have voluntarily imposed upon themselves an additional tax, for the support of their own schools. In the city of Baltimore alone, these schools, known as "free schools," exceed thirty in number, and in their praise it may be said, that though they have been established and are supported by private munificence, without having received a single dollar from the municipal authority, they will compare in efficiency with any class of schools in the city. They are conducted on principles similar to those of the public schools, their doors are thrown open to the public, thousands of our children are gratuitously taught in the various branches of useful science and instructed in the principles of morality ; they are conferring upon the community inestimable blessings, and even the State at large is reaping from their labors a golden harvest ; and here the great question arises, should not these schools be recognised by the State in the distribution of her favors ?

The solution of this question involves principles of grave importance, not only to the people of Maryland, but to every citizen of this free and happy land. If we turn to the annals of the past, we find the philosophers and statesman of every age, from the dawn of civilization to the present time have been engaged in the solution of this great question :—*How shall the reins of government be directed that the commonwealth may avoid the vortex of anarchy and violence, how shall the institutions of the society be moulded in order to give solidity and perpetuity to State, vigor and energy to the government and happiness to the people.*—At length the grand secret was discovered, and with a unanimous voice, it was proclaimed that the solution of the great problem lay in the education of the people. But time and experience have

demonstrated to the world, that education to be effectual in accomplishing these important results must be founded and governed by principles of morality; that mere literary teaching is not sufficient to curb the restless passions of the human heart, and to hold together the discordant elements of society. If this be so, and there be those of our fellow citizens, who feel it an imperative duty, the neglect which would render them amenable to God, to have their children instructed in the principles of virtue and morality, while they are pursuing their literary studies, should not their scruples and sincerity be respected? If there be those among us who are firmly persuaded that they cannot patronize the public schools without doing violence to those higher obligations which they owe to their children, would not the cause of education be promoted by providing for the education of their children in schools more congenial to their feelings? This has been done in other States, and even in some parts of our State, without impairing the prosperity or diminishing the utility of the public schools.

But here let us pause. It is not the design of the committee here to discuss these questions; questions fraught with so much interests to the State, to the citizen, to education. They have conceived it their duty however, to bring the subject to the attention of the public. For themselves, they have no interest to serve, no design to accomplish, save the advancement of the cause of education. They have labored to place the system of public education in Maryland upon a just and equitable basis; they have labored to establish that system, which in their judgment would tend to diffuse among the people the light of knowledge, and place within the reach of every child in the community the means of acquiring a liberal education. How far their efforts may prove successful, they leave to a candid public to determine. If they feel an interest in the cause of education, it is only an interest that should be common to every individual in the State. Look abroad into the community and behold the innumerable advantages of education.

Who can calculate its social benefits in elevating and correcting public taste and sentiment, and substituting intellectual entertainments and amusements in place of those light, trifling, vicious and demoralizing amusements which lead to intemperance, idleness and crime? Who will reflect on the political benefits of education, and refuse to aid in the cause? Without education the vast improvements which have been made in mechanicism, in agriculture and manufacturers, would still be unheeded and unknown. The wealth of a nation consists, not so much in the number as in the intelligence and enterprize of its citizens, in the advanced state of its sciences, and the perfection of its manufacturers and agriculture. Education is the beacon light which guides a nation to greatness and to power.

In our own free and happy country, where the sovereign power is vested in the people, where the ballot box is the urn of fate, how important is education? Can it be expected that the blessing of liberty will flourish and acquire perpetuity in a soil, where vice and ignorance are permitted luxurantly to grow? As well might we expect a vessel without sails or compass to withstand the resistless fury of the storm, as to hope that liberty can exist when immortality and ignorance have sapped the foundation of the temple.

Standing, as we do, upon the narrow isthmus between the future and the past, how imposing the scenes which gather around us! If we turn our eyes onward, we behold the busy throng of mortals hurrying to that land from which no traveller returns; if we cast a retrospective glance over the plain which we have passed, we behold at a distance the youth of the land preparing to follow our steps; we see those who are to occupy our places when our names shall be written in the city of the dead. How interesting the scene! We are told that when the mother of the Gracchi was asked, where were her jewels, she pointed to her children. They were her ornaments, they were her protection, they were her support. And if Maryland were asked, where are her jewels? she might well point to the children of her citizens. They are to shine as her ornaments in after days; they are to adorn her legislative halls; they are to reflect honor upon her judiciary; they are to defend her in the hour of dangers; they are to support her in the character of good citizens. Let her foster and cherish these tender plants; let her place them on some congenial soil, refreshed by the waters that flow from the fountain of knowledge and illumined by the light of science.

M. J. KERNEY,
WM. F. SMYTH,
MAREEN M. DUVALL,
WM. W. DUVALL,
DAVIS RICHARDSON,
JOHN E. H. LIGGET,
JOHN PARKER,

Committee.



APPENDIX.

A TABLE—Showing the condition of the Schools of the whole State.

The following table is designed to exhibit the form of a condensed report of the Schools of the entire State. A glance at the heading of each column will show the vast amount of important information it is intended to convey. The dots in the columns are intended to be filled up by figures.

COUNTRIES.	No. of School Dist's.	No. of Teachers		No. of Pupils.		Am't raised by taxation for the support of Schools.	Am't received from the State.	Other sources of revenue.	Total amt of the School Fund of the County.	Amount paid for salary of teachers.	Incidental expenses.	Total amt expended for support of Schools.	Cost per Pupil for tuition.
		male	female	total	total.								
Alleghany.....
Anne Arundel....
Baltimore county.....
Baltimore city....
Calvert.....
Caroline.....
Carroll.....
Cecil.....
Charles.....
Dorchester.....
Friedrick.....
Harford.....
Howard.....
Kent.....
Montgomery.....
Prince George's.....
Queen Anne's.....
Saint Mary's.....
Somerset.....
Talbot.....
Washington.....
Worcester.....
Total.....

FORM OF A TABLE

From the Board of School Commissioners to the Secretary of State.

This table is intended to show the form of a report from the Board of School Commissioners of the several Counties to the Secretary of State, and the manner in which it might be made out. If this, or some similar form be adopted, it will annually exhibit the condition of the Schools in each County, and at the same time present a detailed account of the system throughout the State. If the Trustees of each of the school districts report, annually, to the Board of Commissioners of their respective Counties, as they are directed in the bill, the labor of preparing the report would be comparatively light.

SCHOOL DISTRICTS.	Number of Schools.	Number of Teachers.		Number of Pupils.		Average number in attendance.	Amount paid for salary of Teachers.	Incidental Expenses.			Total Expense of School.	No. of children in dis. betw. ages of 5 and 17.
		Male.	Female.	Total.	Male.	Female.	Total.	For Stationery.	Fuel.	Repairs.		
No. 1.....
No. 2.....
No. 3.....
No. 4.....
No. 5.....
No. 6.....
No. 7.....
No. 8.....
No. 9.....
No. 10.....
No. 11.....
No. 12.....
No. 13.....
No. 14.....
No. 15.....
No. 16.....
No. 17.....
No. 18.....
No. 19.....
No. 20.....
Total.....

A BILL.

An Act for the better regulation of the Public Schools in this State.

SECTION 1ST. Be it enacted by the General Assembly of Maryland, That there shall be elected or appointed, in the manner hereinafter directed, in the several counties of this State, and in the city of Baltimore, three learned and discreet persons in each of the several counties, and one learned and discreet person in each of the several wards of the city of Baltimore, who shall be styled a Board of Public School Commissioners of the county or city for which they may be elected or appointed.

Sec. 2nd. And be it enacted, That the School Commissioners provided for by this act, may either be elected by the qualified voters of the several counties, and the qualified voters of the city of Baltimore, or they may be appointed by the Judges of the Orphans Court in the several counties respectively, and by the Mayor and City Council in the city of Baltimore, and they shall enter upon the duty of their office on the first day of January succeeding their election or appointment, and serve for two years; and in case of election for Commissioners as aforesaid, said election shall be held every second year, on the day of the election of Delegates in the several counties, and in the city of Baltimore, and the Judges of said election shall notify, in writing, the several persons elected as School Commissioners of their election, so soon as may be convenient of said election; and in case of appointment of Commissioners as aforesaid, said Commissioners shall be appointed at least fifteen days previous to the time herein prescribed for entering upon the duty of their office; and it shall be the duty of the Judges of the Orphans Court to notify the several persons appointed as Commissioners, of their appointment; and in all cases of contested elections for School Commissioners in the several counties, the Judges of the Orphans Court thereof shall hear and determine the case, and in case of a tie, shall order a new election; and in all cases of contested elections for School Commissioners in the city of Baltimore, the City Council thereof shall hear and determine the case, and in case of

a tie, they shall notify the Mayor thereof, who shall order a new election.

Sec. 3rd. And be it enacted, That said Board of School Commissioners for the several counties and city of Baltimore, shall assemble at such place as to them shall seem most convenient, on or before the first day of January succeeding their election or appointment, and organise said Board by the election of a President from among their own number; they shall, at the same time, elect a Secretary to said Board, with such compensation for his services as they may deem right and equitable; provided such compensation shall not exceed the sum of two dollars per meeting for each and every meeting of said Board; they shall make such laws and regulations for the government of said Board as they may deem proper, and may alter, amend or abolish the same at pleasure.

Sec. 4th. And be it enacted, That it shall be the duty of the President of said Board of School Commissioners of the several counties, and the President of School Commissioners in the city of Baltimore, to make a report annually to the Secretary of State, commencing from the first day of December, in each and every year; said report shall set forth the state and condition of the schools within his jurisdiction, the number of schools, the number of teachers, male and female, the number of pupils in each school, male and female, the aggregate number attending the schools under his jurisdiction, the branches of study, the expense of each school for teacher's salary, books, stationery, fuel, &c., the amount raised by taxation in his particular county, or the city of Baltimore, as the case may be, the amount of the State appropriation, and other sources of revenue, if any, the aggregate amount expended for public education, and such other particulars relating to the duties of his office, as he may think proper to communicate; said report shall be transmitted to the Secretary of State, as aforesaid, on or before the 15th day of December in each and every year, and it shall be the duty of the Secretary of State, as soon as may be convenient after receiving said reports for the several counties and the city of Baltimore, to prepare a general report of the Public Schools of the State, and publish the same, annually, on or about the first day of January, in each and every year.

Sec. 5th. And be it enacted, That the regular meetings of said Board of School Commissioners shall be held quarterly, or oftener, if in their opinion the duties of their office require it, at such time and place as to them may seem most convenient; they may adjourn from day to day, whenever the public business shall require it, and the President of said Board may call extra meetings thereof whenever any business of importance shall demand the same.

Sec. 6th. And be it enacted, That a majority of said Board

of Commissioners shall constitute a quorum for the transaction of business, at any regular or special meeting of said Board, and in case of the death, resignation, or removal from the county or ward for which he may have been elected or appointed, of any member of said Board, the Orphans Court of the county, or the Mayor and City Council of the city of Baltimore, as the case may be, shall appoint a suitable person to fill such vacancy, and the person so appointed, before entering upon the duties of office, shall take the oath hereinafter prescribed for the faithful discharge of the duties of School Commissioner, and shall serve for the unexpired time of the individual in whose place he may have been appointed.

Sec. 7th. And be it enacted, That the Board of School Commissioners of the several counties shall have full power and authority to divide said counties into suitable and convenient School Districts, to lay out additional Districts, to divide said Districts, or change the lines thereof whenever, in their judgment, the public convenience may require it; and it shall be their duty, so soon as may be convenient after the formation of any School District, to number the same and to deliver the outlines or description thereof, together with the number of the same, in writing, signed by said Commissioners and attested by the Secretary of said Board, to the Clerk of the Circuit Court of the county, who shall record the same, free of charge, in a suitable book provided for that purpose; and whenever said Commissioners shall make any alteration or change in any School District, they shall have such change or alteration attested and recorded at the place and in the manner above directed.

Sec. 8th. And be it enacted, That it shall be the Duty of the Board of School Commissioners of the several counties and of the city of Baltimore, to select and purchase the books and stationery for the use of the Schools within their jurisdiction respectively, and no book shall be used in any School without the approbation of the Commissioners; they shall keep a minute account of the cost of books and stationery furnished to each School, but no book of a sectarian character, or one reflecting injuriously on, or misrepresenting the Institutions of this State, shall be used in said Schools; and it shall be likewise the duty of said Board of Commissioners in the several counties to sign all orders which may be drawn on them by the Trustees, for the payment of Teachers, and all other necessary expenses connected with the Schools within their jurisdiction; provided such orders are signed by a majority of said Trustees.

Sec. 9th. And be it enacted, That the said Board of Commissioners, so soon as may be convenient after the formation of any School District in their respective counties, shall put up, or cause to be put in at least three of the most public places within said District, the description and number of the same, and at the

same time notify the legal voters thereof to assemble and elect Trustees for said District, and said Commissioners shall make no apportionment of the public funds levied or appropriated for the support of the Public Schools, to any District, the inhabitants of which shall neglect or refuse to elect Trustees.

Sec. 10th. And be it enacted, That the Board of School Commissioners of the several counties shall constitute a Board of Examiners, whose duty it shall be to examine all persons offering themselves as candidates for teaching in any of the Public Schools within their jurisdiction, and said Commissioners, if they deem it necessary, may appoint a person or persons qualified to examine the qualifications of candidates for teaching, as aforesaid, and if said Commissioners shall be satisfied, after due examination has been made, that the candidate be a person of good moral character, and possessed of sufficient learning and ability, and otherwise qualified for teaching, then said Board shall certify the same in writing, under their signatures, and deliver such certificate to the person so examined by them, as aforesaid, to the following effect, to wit: We, the undersigned, Board of Commissioners of the Public Schools of ——— county, do certify that we have examined A B, and do believe that he (or she, as the case may be,) is a person of good moral character, and of sufficient learning and ability, and in all respects qualified to teach as principal (or as an assistant, as the case may be,) in any of the Schools in this county. Given under our hands this ——— day of ——— in the year eighteen hundred and ———.

A B, }
C D, } Board of Examineers of Public
E F, } Schools of ——— County.”

And each person obtaining a certificate as aforesaid, shall pay for the same, to the Board of Commissioners, the sum of one dollar, which sum shall be appropriated, by said Board, towards the payment of the salary of the Secretary of said Board, and to the printing of blank certificates.

Sec. 11th. And be it enacted, That every Teacher employed in any of the Public Schools in the several counties, shall have his or her certificate of qualification annually renewed by the Board of Commissioners, and all applications for said renewal shall be addressed, either in writing or otherwise, to the President of said Board, and if there be no charges preferred against said applicant, said President, or in his absence or inability to act, any member of said Board shall issue and sign a renewal of said certificate to the following effect, to wit: “The undersigned, President, or President *pro tem.*, as the case may be, of the Board of Commissioners of ——— county, doth hereby renew, for one year from the ——— day of ———, in the year eighteen hundred and ———, the certificate of qualification heretofore, on the ——— day of ———, in the year eighteen hundred and

———, granted to a A B, late Teacher in School District No. ———. Given under my hand this ——— day of ———, in the year eighteen hundred and ———.

A B, Pres't B'd Pub. Schools of ——— county." But no charge shall be made for the renewal of the certificate.

Sec. 12th. And be it enacted, That all charges against a Teacher for immorality, cruelty, or incapacity, shall be first made to the Trustees of the School District, and if the Trustees refuse or neglect to examine into the case of complaint, the parties aggrieved may lay their grievances before the President of the Board of Commissioners of the county, and said President shall withhold the renewal of the certificate of qualification from any Teacher, until the charges preferred have been disproved to his satisfaction, and if, after due examination, he shall believe the charges not clearly disproved, he shall refuse to renew the certificate of qualification; but in all cases, he shall give due notice to the party of the charges against him or her.

Sec. 13th. And be it enacted, That if it should happen, at any time hereafter, that the Board of School Commissioners of any county, or of the city of Baltimore, as the case may be, should neglect or refuse to make an annual report to the Secretary of State, as prescribed by the provisions of the fourth section of this act, the State Treasurer is hereby authorised and directed to withhold from such county or city aforesaid, that portion of the State School Fund which said county or city aforesaid may be now or hereafter annually entitled to.

Sec. 14th. And be it enacted, That it shall be the duty of the Board of School Commissioners of the several counties, and of the Board of School Commissioners of the city of Baltimore, respectively, to furnish annually to the County Commissioners of the several counties, and to the Mayor and City Council of the city of Baltimore, an estimate of the probable amount to be provided for by taxation for the support of the Public School within their jurisdiction, and such other Schools, if any, as may be entitled to a portion of the common School Fund, and the County Commissioners of the several counties, and the Mayor and City Council of the city of Baltimore, are hereby authorised and empowered to levy on the taxable property of the several counties and city aforesaid, except on the property of persons of color, for the amount indicated by said estimate, or so much thereof as may be necessary for the support of said School.

Sec. 15th. And be it enacted, That the County Commissioners of the several counties shall, every fourth year, at the election of Delegates, or oftener, if the wants of the Public Schools seem to require it, at any general election, take the senses of the people in the several counties and city aforesaid, in order to ascertain what amount they shall be authorised to levy, annually, for the support of the Public Schools; they shall publish a statement,

at least thirty days previous to said election, setting forth the existing School Tax, and stating distinctly the additional per cent. to which they desire to increase it, the votes at such election shall be endorsed, "For the increase of the School Tax," or "Against the increase of the School Tax;" and if a majority of the votes cast be in favor of the increase, the County Commissioners shall be authorised to levy the additional tax, or so much thereof as may be necessary to keep the Schools open for at least ten months in the year, but if a majority of the votes cast be against the increase, then the existing Tax only shall be levied, and if at any time the sense of the people shall be taken to decrease the School Tax, a notice of the same shall be published as above, and the ballots shall be endorsed, "For the decrease of School Tax," or "Against the decrease of the School Tax," and if a majority of the votes cast be in favor of the decrease, then the County Commissioners shall make the deduction in the levy indicated by said vote; but if a majority of the votes be against the decrease, then the existing Tax, or so much thereof as may be necessary, shall be levied, but in no instance shall the County Commissioners levy a greater Tax in any one year than may be authorised by the legal vote of the people, and the County Commissioners of the several counties shall abolish the School Tax in any of the several counties, if they shall be so required by the qualified voters thereof.

Sec. 16th. And be it enacted, That the School Tax that may hereafter be levied in the several counties and the city of Baltimore, shall be collected like any other County or City Tax, and shall be deposited with the County Taxes of the several counties, and with the City Taxes of the city of Baltimore, subject to the order of the School Commissioners of the counties and the city of Baltimore respectively; but the County Treasurers of the several counties, and the City Register of the city of Baltimore, shall keep the School Fund separate and distinct from other funds, and shall apply, use or expend the same for any county or city purposes; and it shall not be lawful for the School Commissioners to use or expend the School Fund, except for the legitimate purpose of Education.

Sec. 17th. And be it enacted, That one-half of the aggregate amount raised by taxation in the several counties, for the support of the Public Schools, in addition to the State appropriation, and other sources of revenue, shall be annually appropriated equally among the Schools in the several Districts of the counties aforesaid; the other half of said fund shall be divided among the Districts, in proportion to the number of children each District may contain, between the age of five and seventeen.

Sec. 18th. And be it enacted, That the School Commissioners to be elected or appointed according to the provisions of this act, shall be invested with all powers and privileges exercised by

the School Commissioners heretofore elected or appointed in the several counties, or in the city of Baltimore, in all cases wherein said powers and privileges have not been repealed or inconsistent with the provisions of this act.

Sec. 19th. And be it enacted, That the Board of School Commissioners of each of the several counties shall be allowed a per diem of two dollars for each day they may be occupied in the discharge of the duties of their office, and said per diem and all other necessary expenses connected with the duties of said Board, shall be paid out of the School Fund of the County, and County Treasurers of the several counties are authorised to pay the same; provided the account shall be attested by the Secretary of said Board.

Sec. 20th. And be it enacted, That the legal voters of each of the School Districts of the several counties shall assemble annually at the School Houses of the District, and if there be no School House in the District, then at such place and on such day as to them may seem most convenient, and elect from among the inhabitants three discreet persons, who shall constitute a Board of Trustees for said District, and shall serve one year from the date of their election, or until their successors shall be qualified; the polls at the election of Trustees as aforesaid, shall not be opened before one o'clock, P. M., and shall be kept open at least three hours, and the three persons receiving the highest number of votes cast, shall be declared duly elected, and in case of a contested election for Trustees, the case shall be referred to the Board of School Commissioners of the county, who shall hear and determine the case, and it shall be the duty of the Trustees so elected to notify the legal voters of the District of the time and place of holding the next election for Trustees, by putting up notices of the same in at least five of the most public places in said District, at least ten days previous to such election.

Sec. 21st. And be it enacted, That a majority of said Trustees shall constitute a quorum for the transaction of business, and in case of the resignation, death, or removal beyond the District of any two of said Trustees, the remaining Trustee shall, without delay, give notice to the legal voters of said District to assemble at a given time and place, and elect two persons to fill such vacancy, and in case of the resignation, the refusal to serve, the removal beyond the District, or the death of all the Trustees, then the legal voters of said District shall assemble so soon as may be convenient thereafter, and elect three persons to fill such vacancy in the manner and form prescribed in the foregoing section.

Sec. 22nd. And be it enacted, That it shall be the duty of the Secretary of any regular or special election for Trustees as aforesaid, so soon as may be convenient thereafter, to notify the Board

of School Commissioners of the county of said election, and at the same time transmit to said Board the names of the Trustees elected.

Sec. 23rd. And be it enacted, That the following duties shall devolve on the Trustees to be elected under the provisions of this act. *First.*—It shall be their duty, immediately after their election, to ascertain the number of white children in their respective Districts, between the age of five and seventeen years, and report the same to the President of the Board of School Commissioners of the county, and if there be no School House in the District, they shall make the necessary arrangements for erecting a School House, and procuring the necessary furniture for the same, and one-half of that portion of the School Fund of the county, which said District may be entitled to for one year, may be expended by said Trustees in building and furnishing said School House, and the Trustees are hereby authorised and empowered to levy on the taxable property of the District for such balance, if any, as may be necessary for completing said School House, but in selecting the site for a School House, said Trustees shall locate it so far as practicable to suit the convenience of all the inhabitants of the District. *Secondly.*—They shall assemble annually or oftener, in case of a vacancy, and elect one or more Teachers for the School or Schools within their respective Districts, but no teacher shall be eligible unless he or she shall furnish a certificate from the Board of Examiners, agreeably to the ninth section of this act; and if a Teacher shall have been previously employed in any School District, before said teacher can be re-eligible, he or she shall have obtained from the Board of Examiners, a renewal of said certificate, as in the eleventh section of this act provides; and if the Trustees should, at any time elect or keep in their Schools any Teacher or Teachers who have not obtained a certificate of qualification, or a renewal of the same, the Board of Commissioners of the county wherein the same shall occur, are hereby authorised and directed to withhold their signatures from any order for the payment of said Teacher or Teachers, or for the payment of any other expense connected with said School or Schools, until the provisions of this section be complied with. *Thirdly.*—It shall be the duty of said Trustees to superintend the School or Schools within their own immediate Districts; to make rules and regulations for the good government of said Schools; to give all orders on the Board of Commissioners of their respective counties for the payment of Teachers, and other expenses connected with their Schools; they shall see that the books and stationery be not destroyed or wasted; they may suspend or dismiss a Teacher for immoral conduct, or for any other cause, when in their judgment the interest of the School may require it; they may at any time suspend or expel a pupil or pupils for immorality, for continued in-

subordination, or other improper conduct; and they shall admit no child in any of the Schools under their charge under the age of five years, or over the age of seventeen, unless in such cases as in their judgment this rule ought to be disposed with; they shall oblige the Teacher in each of their respective Schools, or the pupils, if there be more than one employed, to keep a register of the names and ages of the scholars, distinguishing the sex, who have from time to time attended the School; and they shall, on or about the first day of December in each and every year, furnish the President of the Board of Commissioners with a statement of the number of pupils, males and females, that have attended the School or Schools within their respective Districts during the year ending on the last day of November; they shall, at the same time, state the number of children in their respective Districts entitled to a portion of the general School Fund for the ensuing year, and furnish all items of expense of each School for Teachers' salaries, books, stationery, fuel, &c., and at the same time make such observations relative to the practical operation of the system in their respective Districts, as in their judgment they may think proper.

Sec. 24th. And be it enacted, That whenever it shall happen that the amount levied in addition to the State appropriations be not sufficient to keep the Schools in successful operation during the year, the Trustees of the School Districts in the several counties, and the School Commissioners of the city of Baltimore, may, at their discretion, levy on the parents or guardians of the children attending the School, to supply the deficiency, but in no instance shall the amount levied for any single pupil exceed the sum of one dollar per quarter; but in making the levy aforesaid, the Trustees or Commissioners shall regard the condition of the parents, and whenever, in their judgment, the parents or guardians are unable to pay, they shall admit their children free.

Sec. 25th. And be it enacted, That the Trustees of the several Districts shall have full power to sell any School House or lot within their respective Districts, and give a good and valid deed for the same, whenever the public interest of the District may require it; provided such sale be authorised by the legal voters of said District, and said Trustees shall appropriate the proceeds of said sale to the purchase of another lot, or to the building of another School House, or make such other disposition of it as the legal voters of said District may determine, but the Trustees shall give notice to the legal voters of the District of the time and place of voting, in the form and manner as hereinbefore prescribed for the election of Trustees.

Sec. 26th. And be it enacted, That from and after the passage of this act, it shall and may be lawful for the School Commissioners of the several counties and of the city of Baltimore respectively, to appropriate annually, in quarterly payments, for the

support of Orphan Asylum Schools, and for the education of children taught gratuitously in any School within their jurisdiction respectively, so much of the common School Fund as in their judgment, may be just and reasonable ; provided that the amount so appropriated shall not exceed, for each orphan or child taught gratuitously as aforesaid, the amount annually expended for the education of each pupil in any of the Public Schools of the same order or grade ; and provided, also, that the Trustees or Directors of any such Orphan Asylum or School wherein the children are taught gratuitous, shall quarterly report to the Board of Commissioners the number of orphans taught in said Asylum, and the number of children taught gratuitously as aforesaid ; and provided, moreover, that every such Orphan Asylum and School as aforesaid, shall be open to the visits of the Board of Commissioners, in order that they may satisfy themselves of the correctness of the report.

Sec. 27th. And be it enacted, That every person elected as a School Commissioner, or as a Trustee, under the provisions of this act, before entering upon the duties of his office, shall take and subscribe before some Justice of the Peace the following oath or affirmation, to wit : "I, A. B., do swear (or affirm, as the case may be,) that I will faithfully and to the best of my judgment and ability, without partiality or prejudice, execute the duties appertaining to the office of School Commissioners, or as Trustee, as the case may be," and the said oath or affirmation shall be administered free of charge.

Sec. 28th. And be it enacted, That all acts and parts of acts inconsistent with the provisions of this act, be and they are hereby repealed.

